

Transcribed Statement

Of Andrew Shalaby
Claim No CKS 9984
Date: June 1, 2006

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It came off and is healing perfectly. Um, somehow or another my, my skin is doing well
Uh, I'm making a, a good recovery, I think Very good recovery

Q: Okay. Um, in regards to going back to the, uh, the, the canister

A: Yes

Q: . . . um, w-, um, had you used the canister before or, uh, or was it brand new or

A: Um, I'm pretty sure we used that one before. Yes. Because it had the tip on it. But we
had, uh, we keep several inside the motor home Um, I'm certain I used that one before
It had a tip on it The tip was on it.

Q: Okay And you didn't notice any problems with the prior use?

A: No It worked well

Q: ____ [unintelligible].

A: It worked very well. Never - I've never had a problem with any of those canisters
Never in my life. And I've used them throughout the years - many years.

Q: So this is the first time you've had any kind of a, of a, of a, of a crack or a leakage or, or
anything .

A: Ever.

Q: accidental of that nature?

A: Yeah. Ever

Q: Um, okay. And the, the only witnesses that were with you at the time was your, your,
your son and your daughter and you wife but they didn't actually see the - they saw you
on fire but they didn't actually see the .

A: Nobody saw the fire as it happened They saw the glow of the fire but they, they were
facing the other way Um, my son didn't see anything, he was in the motor home My
daughter was asleep My wife was facing the other way walking towards the motor home
and all of the campers that, uh, were in the area, we didn't get information on any of
them.

Q: Yeah. And, uh, this was being used to light a log is my understanding for a camp fire?

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A Yeah. I think it was a log. It was either a log or a Duraflame. I don't remember.

Q Okay And there was no flammable material ____ [inaudible]?

A Flammable Yeah

Q Well, I guess in regards to

A Chemical - lighter fluid?

Q ...lighter fluid on them or that kind of chemicals.

A Nothing like that.

Q Okay.

A I think it was just a log if I remember correctly.

Q Okay. Um

A We often used the torch to light the, uh, charcoal for the barbeque.

Q With the BernzOmatic, uh...

A With the BernzOmatic It's MAPT M-A-P-T

Q Yeah

A It's not propane.

Q Yeah. I guess it's a MAPT gas. I guess it's a different

A Yeah

Q combustible type of gas or fuel. Um, okay Is there anything that I left out or you can think of anything else that, uh, might ____ [inaudible]

A Okay

Q And then for, um, for identification purposes, can I have your date of birth?

A October 7, 1960

Transcribed Statement

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Q: Okay. And could you, uh, spell your last name?

A: S-H-A-L-A-B-Y.

Q: Okay And, uh, I think we'll conclude the recording and, uh, again, the, the recording has been done with your full knowledge and consent?

A Yes, it has

Q And, uh, the, uh, your answers have been true and to the best of your abilities were accurate?

A. Yes. They were true and they're ac-, well, I don't know about accurate Um, um, as far as the actual incident, the day of the burn, I'm just going on my memory to the best of what I think is accurate but, uh, I will tell you this, after I got out of the hospital I was told that, uh, a lot of my information - probably _____[unintelligible] not accurate I was told that I told the doctor my appendix was removed.

Q. Oh.

A. But I was - I had no medications at the time of the injury Um, that's my memory to the best of my knowledge.

Q Okay The medications that I guess you're currently on right now while we're taking this recording would be?

A: The only medication I'm on right now if you could say I'm on anything is the Lunesta that I took last night for sleeping, um, and the Celebrex, which I took last night for pain So I don't think I have any medications in my system.

Q: Okay.

A: Um, I am having very mild withdrawals from the Xanax but I don't think it's affecting anything

Q: Okay.

A I think my memory is good now.

Q: Okay. Okay And, uh, again this is Joe Tancredy with St. Paul Travelers Insurance and we'll be concluding the, uh, uh, the recording. Okay.

A Okay

Transcribed Statement

Of: Andrew Shalaby
Claim No: CKS 9984
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Page 11 of 11

[Tape off.]

JT/bpt/jaf/0727/RS0724E

1 MICHAEL J. VEILUVA (State Bar No. 100419)
2 MARK D. EPSTEIN (State Bar No. 168221)
3 ALBORG, VEILUVA & EPSTEIN LLP
4 200 Pringle Avenue, Suite 410
5 Walnut Creek, CA 94596
6 Telephone: (925) 939-9880
7 Facsimile: (925) 939-9915

8 Attorneys for Plaintiffs
9 Andrew Shalaby and Sonia Dunn-Ruiz

10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA

13 ANDREW SHALABY and SONIA DUNN-
14 RUIZ,

15 Plaintiffs,

16 vs.

17 IRWIN INDUSTRIAL TOOL COMPANY,
18 INC., THE HOME DEPOT, INC., and DOES
19 2 through 100, inclusive

20 Defendants.

Case No. C 06-07026 MJJ

DECLARATION OF SONIA DUNN-RUIZ
IN SUPPORT OF OPPOSITION TO THIRD
PARTY DEFENDANT WORTHINGTON
INDUSTRIES, INC.'S MOTION TO
TRANSFER VENUE

Date: September 25, 2007

Time: 9:30 a.m.

Ctrm: 11, 19th Floor

Judge: Hon. Martin J. Jenkins

Complaint filed: October 10, 2006

Case Removed: November 9, 2006

21 I, Sonia Dunn-Ruiz, declare as follows:

22 1. I am one of the named plaintiffs in the action captioned above. I make the
23 following statements, which are true and correct, based upon matters that are within my personal
24 knowledge and observations, unless otherwise stated on information and belief. If called as a
25 witness, I could and would testify truthfully and competently regarding the matters set forth
26 below.
27
28

1 2. During the week of April 17, 2006, my family and I were vacating at Campland-
2 on-the-Bay ("Campland"), a recreational vehicle resort located near the water in San Diego,
3 California.

4 3. On the evening of April 21, 2006, during our stay at Campland, my husband
5 Andrew Shalaby was severely injured when he attempted to light a wood campfire with his
6 Bernzomatic MAPP Gas torch. As my husband went to ignite the fire with his torch, I heard a
7 loud "whooshing" sound and looked over at my husband and saw that he was on fire, engulfed in
8 flames. I immediately came to his aid.

9 4. At trial, I will testify regarding the details of my husband's and my experience in
10 the aftermath of the incident, including the nature, extent and scope of Andy's physical injuries
11 and emotional issues, the out-of-pocket expenses we have incurred as well as our loss of income
12 as a result of the incident. I will also testify regarding the emotional and practical effects that the
13 incident has had on our lives.

14 I declare under penalty of perjury of the laws of the State of California that the foregoing
15 statements are true and correct, and if called to testify as a witness I can and will testify
16 competently thereto.
17

18 Executed on September 1, 2007 at El Cerrito, California.

19
20 
21 _____
22 SONIA DUNN-RUIZ
23
24
25
26
27
28

1 MICHAEL J. VEILUVA (State Bar No. 100419)
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5 Attorneys for Plaintiffs
Andrew Shalaby and Sonia Dunn-Ruiz
6

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 ANDREW SHALABY and SONIA DUNN-
11 RUIZ,

12 Plaintiffs,

13 vs.

14 IRWIN INDUSTRIAL TOOL COMPANY,
INC., THE HOME DEPOT, INC., and DOES
15 2 through 100, inclusive

16 Defendants.

Case No. C 06-07026 MJJ

DECLARATION OF MARK D. EPSTEIN IN
SUPPORT OF OPPOSITION TO THIRD
PARTY DEFENDANT WORTHINGTON
INDUSTRIES, INC.'S MOTION TO
TRANSFER VENUE

Date: September 25, 2007

Time: 9:30 a.m.

Ctrm: 11, 19th Floor

Judge: Hon. Martin J. Jenkins

Complaint filed: October 10, 2006

Case Removed: November 9, 2006

17
18
19 I, Mark D. Epstein, declare as follows:

20
21 1. I am an attorney at law, duly licensed to practice before the courts of the State of
22 California, and am admitted to practice on this Court. I am a partner in the law firm of Alborg,
23 Veiluva & Epstein, LLP, counsel of record for plaintiffs in this action. I make the following
24 statements, which are true and correct, based upon matters that are within my personal
25 knowledge and observations, unless otherwise stated on information and belief. If called as a
26 witness, I could and would testify truthfully and competently regarding the matters set forth
27 below.
28

1 2. Attached hereto as Exhibit A are true and correct copies of select pages that were
2 produced to me by counsel for Irwin Industrial Tool Company as part of its initial disclosures in
3 this case, as well as select product description pages that I printed off of the BernzOmatic
4 internet website, <http://www.bernzomatic.com/bernzomatic/consumer/jhtml/index.jhtml>, which
5 describe the suitability of BernzOmatic MAPP Gas torches for use in lighting grills and pilot
6 lights.

7 3. Attached hereto as Exhibit B are true and correct copies of select pages that were
8 produced to me by counsel for Irwin Industrial Tool Company as part of its initial disclosures in
9 this case which describe the suitability of BernzOmatic MAPP Gas torches for use in lighting
10 campfires.

11 4. Attached hereto as Exhibit C is a true and correct copy of the transcript of the
12 deposition of Warren Ratliff, at which I made a personal appearance and in which I participated.

13 5. Attached hereto as Exhibit D is a true and correct copy of the transcript of the
14 deposition of Randy Stephens, at which I made a personal appearance and in which I
15 participated.

16 6. Attached hereto as Exhibit E are true and correct copies of pages 20 and 21 of the
17 transcript of the deposition of Robert Kevin Price, at which I made a personal appearance and in
18 which I participated.

19 I declare under penalty of perjury that the foregoing statements are true and correct.

20 Executed on September 4, 2007 at Walnut Creek, California.

21 /s/

22 _____
23 MARK D. EPSTEIN
24
25
26
27
28



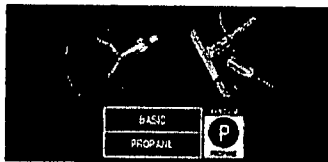
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TOOL FINDER RESULTS

Below are the fuel types appropriate for your project. Click on the icons to view the products within each category.



Propane fuel is a basic gas which is appropriate for the following projects:

- Soldering copper pipes up to 3/4"
- Thawing frozen pipes & locks
- Loosening rusted bolts
- Removing paint, caulk & putty
- Lighting pilot light & grills



MAPP gas is a Multi-Application fuel appropriate for the following projects:

- Soldering copper pipes up to 3/4"
- Thawing frozen pipes & locks
- Loosening rusted bolts
- Removing paint, caulk & putty
- Lighting pilot light & grills *

PLUS

- Soldering copper pipes over 3/4"
- Brazing copper pipes
- Brazing steel
- Hardening steel (+ Oxygen gas)
- Repairing garden tools (+ Oxygen gas)
- Light welding (+ Oxygen gas)
- Thin metal cutting (+ Oxygen gas)

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CONTACT US - ABOUT US - SITE MAP

High Temperature Torch
Soplete de alta temperatura
Chalumeau à haute température

- Self-igniting
- Auto-encendido
- Auto-allumage

BZO000102



MULTI-APPLICATION™

TS40002K1

High Temperature Torch

Soplete de alta temperatura

Chalumeau à haute température

Multi-Application MAPP® Torches are ideal for:

- Soldering Copper Pipes from 1/8" up to 3"
- Thawing Frozen Pipes & Locks
- Brazing Steel
- Brazing Copper Pipes
- Loosening Rusted Bolts
- Removing Paint, Caulk & Putty
- Lighting Grills

Los sopletes MAPP® de aplicaciones múltiples son ideales para:

- Soldar tubos de cobre de 1/8" (3.18 mm) hasta 3" (76.2 mm)
- Decongelar tubos y cerraduras congeladas
- Soldar acero
- Soldar tubos de cobre
- Aflojar pernos oxidados
- Remover pintura, impermeabilizante y masilla
- Encender parrillas

Les chalumeaux MAPP® utilisés pour diverses applications sont idéaux pour:

- Souder des tuyaux en cuivre de 1/8 pouce à 3 pouces
- Dégeler les tuyaux et les serrures grippés
- Braser des pièces en acier
- Braser les tuyaux en cuivre
- Desserrer les boulons rouillés
- Enlever la peinture, les mastics de calfeutrage et le mastic de vitrerie
- Allumer des grils



0 70042 19042 7

BERNZOMATIC

Medina, NY 14103, USA
1-800-454-6011
www.bernzomatic.com

87303

WARNING:

Contents extremely flammable and under pressure. DO NOT store at temperatures above 120°F / 49°C. Keep away from heat and flame. DO NOT store in living areas. Carefully read cautions on individual containers. KEEP OUT OF REACH OF CHILDREN.

ADVERTENCIA:

El contenido es extremadamente inflamable y está bajo presión. NO almacenar a temperaturas superiores a los 49°C / 120°F. Mantener alejado del calor y del fuego. NO almacenar este producto en áreas de vivienda. Leer cuidadosamente las precauciones indicadas en cada recipiente en particular. MANTENER ALEJADO DEL ALCANCE DE LOS NIÑOS.

AVERTISSEMENT :

Contenu extrêmement inflammable et sous pression. NE PAS entreposer à des températures supérieures à 49°C (120°F). Garder loin de toute source de chaleur ou flamme. À NE PAS ranger dans des endroits habitables. Lire attentivement les mises en garde sur les contenants individuels. GARDER HORS DE PORTÉE DES ENFANTS.



WARNING: ALWAYS wear safety goggles, gloves and other appropriate safety items for protection.

ADVERTENCIA: SIEMPRE use gafas y guantes de seguridad y otros artículos adecuados para su protección.

AVERTISSEMENT: TOUJOURS porter des verres de sécurité, des gants et tout autre article de sécurité afin d'assurer votre protection.

G04085

BZO000103

Thawing frozen pipes

Pipes can freeze if they are exposed to an outside wall during freezing weather. You can use a BernzOmatic torch to thaw them. But be careful. Thawing frozen pipes the wrong way can cause them to burst. Be sure to use an appropriate heat shield between the pipes to be thawed and nearby walls. Start at the faucet end of the frozen pipe. Open up the faucet and begin heating there, working your way toward the water supply. If all is going well, water will start dripping out of the open faucet.



If you have pipes that are prone to freezing, it's a good idea to insulate them or leave the cabinet doors of the sink open so room heat can protect them.

Removing floor tile

Occasionally it's necessary to remove a damaged floor tile and replace it, an ideal application for a BernzOmatic torch. Use the flame spreader attachment on the torch. Heat the tile, keeping the propane cylinder angled up, playing the flame over all areas of the tile until it feels uncomfortably warm to the touch. Score a line on all sides of the tile. Use a putty knife to lift one corner of the tile. Keep moving the putty knife along the edge of the tile so you can lift the entire edge. Keep applying heat and slowly work the putty knife underneath until the tile comes up.



After the tile has been lifted, keep applying heat to the floor surface being careful not to heat the adjoining tiles. Use the putty knife to scrape away all traces of tile cement. For final clean-up of the surface, use soap and warm water for water-soluble cement, or paint thinner. Be careful not to get the soapy water or paint thinner underneath adjoining tiles. Wipe the area dry and you're ready to apply the new cement and replacement tile.

This brochure provides a general overview of the many uses of BernzOmatic torches. If you want to learn more about metal working, consult your local library or consider training through your local vocational/technical school.

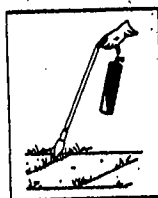
*MAPP™ is a registered trademark of Airco, Inc.

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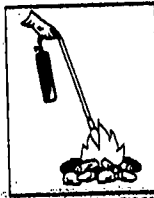
Model JT800 OUTDOOR TORCH and JT850 TRIGGER START OUTDOOR TORCH

- Ideal for a variety of outdoor projects *
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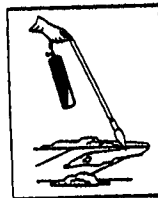
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at (800) 654-9011 or on the internet at
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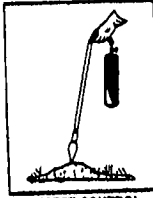
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STARTING CAMPFIRES *



MELTING ICE



INSECT CONTROL

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5

JT850

Ideal for:
Ideal para:

weed burning
quemando maleza

campfires
fogatas

chinteneas
chimeneas

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Self-Igniting Outdoor Torch

Soplete de auto encendido
para uso en el aire libre

36" Reach from grip to tip
Adjustable jumbo flame

Alcance 91.44cm desde la parte que se apréta a la punta
Llama ajustable

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Soplete de auto encendido para uso en el aire libre

36" Reach from grip to tip
Adjustable jump flame

Alcance 91.44 cm desde la parte que se aprieta a la punta
Llama ajustable

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⚠ Warning ⚠

FIRE & BURN HAZARD
For outdoor use only. Never use near fuel, solvents, flammable liquids, wood, paper or other combustible materials. Always have a bucket of water or an ABC-type fire extinguisher within reach when using torch. Failure to follow this warning can result in severe personal injury or death.

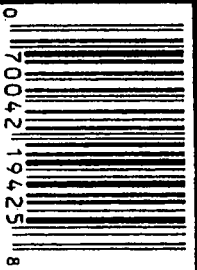
⚠ Advertencia ⚠

PELIGRO DE INCENDIOS Y QUEMADURAS
Para uso en exteriores únicamente. Nunca utilice este producto cerca de combustible, líquidos inflamables, madera, papel o cualquier otro material combustible. Siempre tenga a la mano un balde de agua o un extinguidor de incendios tipo ABC cuando use un soplete. No obedecer esta advertencia puede dar como resultado graves lesiones personales o incluso la muerte.

⚠ Avertissement ⚠

RISQUE D'INCENDIE ET DE BRULURE
Pour usage extérieur seulement. N'utilisez jamais à proximité de combustibles, solvants, liquides inflammables, bois, papiers ou autres matériaux combustibles. Ayez toujours à portée de la main proximité un seau d'eau ou un extincteur d'incendie de type ABC lors de l'utilisation du chalumeau. Le défaut de respecter cette mise en garde peut entraîner blessures graves ou même la mort.

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Hecho en USA



Ideal for:
Ideal para:

campfires
fogatas

weed burning
quemando maleza

chimeneas
chimeneas

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J1850

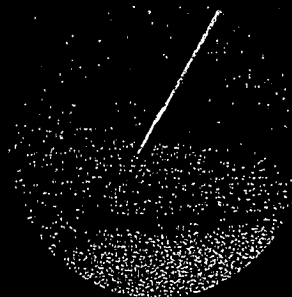


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**Soplete de auto encendido para todo
uso en exteriores**

**Chalumeau utilitaire extérieur à
allumage automatique**



JT850

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JT850

Ideal For Year Round Use:

- Lighting Chimineas
- Melting Ice and Snow

- Lighting Camp Fires *
- Burning Weeds

Ideal para usarse todo el año:

- Para encender chimeneas
- Para derretir hielo y nieve

- Para encender fogotas
- Para quemar maleza

Idéal pour être utilisé toute l'année:

- Allumage de cheminées
- Fusion de la glace et de la neige

- Allumage de feux de camp
- Désherbage par combustion



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⚠ Warning ⚠	⚠ Advertencia ⚠	⚠ Avertissement ⚠
FIRE & BURN HAZARD For outdoor use only. Never use near fuel, solvents, flammable liquids, wood, paper, or other combustible materials. Always have a bucket of water or an ABC-type fire extinguisher within reach when using torch. Failure to follow this warning can result in severe personal injury or death.	PELIGRO DE INCENDIOS Y QUEMADURAS Para uso en exteriores únicamente. Nunca utilice este producto cerca de combustible, solventes, líquidos inflamables, madera, papel o cualquier otro material combustible. Siempre tenga a la mano un balde de agua o un extinguidor de incendios tipo ABC cuando use un soplete. No obedecer esta advertencia puede dar como resultado graves lesiones personales o incluso la muerte.	RISQUE D'INCENDIE ET DE BRULURE Pour usage extérieur seulement. N'utiliser jamais à proximité de combustibles, solvants, liquides inflammables, bois, papiers ou autres matériaux combustibles. Ayez toujours à portée de la main proximité un seau d'eau ou un extincteur d'incendie de type ABC lors de l'utilisation du chalumeau. Le défaut de respecter cette mise en garde peut entraîner des blessures graves ou même la mort.

BZO000106

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COPY

ANDREW SHALABY and SONIA DUNN-RUIZ,)

Plaintiffs,)

vs.)

No. C06-07026CW)

NEWELL RUBBERMAID, INC., RUBBERMAID,)
INCORPORATED, and THE HOME DEPOT,)
INC.,)

Defendants.)

DEPOSITION OF WARREN L. RATLIFF, JR.

Taken at San Diego, California

April 17, 2007

Reported by Catherine Gautereaux, CSR
Certificate No. 3122

1 Appearances:

2 For Plaintiffs:

3 Alborg, Veiluva & Epstein LLP
4 By: Mark D. Epstein
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5 Walnut Creek, California 94596-7380
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7 For Defendants:

8 Keller, Price & Moorhead
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10 Redondo Beach, California 90277
(310) 540-1332 fax (310) 540-8480
11 jpm@kpmlawyers.com

12 For Warren Ratliff:

13 Grimm Vranjes McCormick & Graham LLP
14 By: Gregory D. Stephan
550 West C Street, Suite 1100
15 San Diego, California 92101
(619) 231-8802 fax (619) 233-6039

16
17
18
19 DEPOSITION OF WARREN L. RATLIFF, JR.,
20 taken by the Defendants at the Doubletree Club,
21 1515 Hotel Circle South, San Diego, California,
22 commencing on Tuesday, April 17, 2007, at 9:05 a.m.,
23 before Catherine A-M Gautereaux, Certified Shorthand
24 Reporter in and for the State of California.

I N D E X

EXAMINATION BY

PAGE

Mr. Moorhead

4, 86

Mr. Epstein

55

E X H I B I T S

NUMBER

DESCRIPTION

PAGE

1 - Andrew Shalaby's reservation information
for Campland on the Bay; 3-page
incident report, dated 4/21/06

40

2 - Subpoena for the appearance of
Warren Ratliff

46

3 - July 12, 2006, letter from Gary
Gunther, adjuster, to Therese Kiel;
facsimile cover sheet, dated 7/13/06

48

1 SAN DIEGO, CALIFORNIA; TUESDAY, APRIL 17, 2007

2 9:05 A.M.

3 WARREN L. RATLIFF, JR.,

4 having been first duly sworn,

5 testified as follows:

6
7 EXAMINATION

8 BY MR. MOORHEAD:

9 Q Okay. Mr. Ratliff, I introduced myself
10 before, but I will do it again. My name is John
11 Moorhead, and I represent the defendants in a lawsuit
12 that has been filed on behalf of a gentleman by the name
13 of Andrew Shalaby and his wife, and we're here today to
14 take your deposition.

15 Now, let me ask, first of all: You ever had
16 your deposition taken before?

17 A Yes.

18 Q Okay. So you're familiar, at least generally,
19 with the procedure?

20 A Yes, sir.

21 Q Okay. At the risk of telling you things that
22 you already know or things that Mr. Stephan might have
23 spoken with you about yesterday, let me make sure I go
24 through the basic ground rules so that we are on the
25 same page, so to speak, before we get into the

1 substantive testimony.

2 The court reporter, seated to your right, is
3 taking down everything that we're saying in the room
4 today, or at least trying to. And so it's important
5 that we follow some ground rules to increase the
6 likelihood that the transcript that she prepares is
7 readable.

8 The first of those ground rules is to try to
9 wait until I've completed my question before you give
10 your answer, because if both of us are speaking at the
11 same time, it's going to be difficult for her to make an
12 accurate record. There is also the risk that the last
13 few words of the question might change its meaning
14 somewhat and, therefore, your answer wouldn't correspond
15 if you jumped in too soon.

16 So I'll try to wait until you've completed
17 your answer before I ask another question, and if you
18 would, please try to fight the temptation to answer my
19 question before it's done, even though you'll probably
20 know what it is before I finish it.

21 Now, it's also necessary that you give verbal
22 responses to each question. Although it's perfectly
23 okay to shake your head or make gestures or whatever,
24 she is not here to interpret those things, and the
25 record won't be clear unless you actually speak up and

1 say "Yes" or "No" or "two feet," or whatever the case
2 may be.

3 I have the bad habit, not so much in
4 depositions but in other places, of using uh-huh and
5 un-unh. I don't know if you have that same malady, but
6 if you would, try to avoid using those sounds for
7 responses because they won't be clear on the record
8 whether it was a positive or a negative.

9 If you forget any of these things, it's likely
10 that either myself or Mr. Epstein may ask you, "Was that
11 a yes? Was that a no?" You know, "How far apart are
12 your hands?" We just recognize, having dealt with a lot
13 of these transcripts, that there is going to be a big
14 void here unless we ask you to speak. So we're not
15 trying to get you to change your answer or to elaborate.
16 We just want to know whether this was a yes or a no.

17 At a later point in time, the transcript will
18 be prepared and sent, I guess, based upon our previous
19 conversation, to Campland, where you'll have an
20 opportunity to look it over and make corrections, if
21 necessary, in order to make it accurate. And then
22 you'll be asked to sign it under penalty of perjury.

23 You are not a party in this case. Campland is
24 not a party in this case. But it's always best to try
25 to make sure that your best answers are given today and

1 that changes are not needed to be made later, because it
2 could have an impact on your credibility if that ever
3 comes up, and we don't want to see that happen, and I
4 know you don't, either.

5 I may ask questions that call for estimates of
6 things like time or distance or whatever. I recognize
7 that you probably didn't have a stopwatch or a tape
8 measure, and I don't expect that type of precision, but
9 I am entitled to your best estimates of such
10 measurements. If you don't have an estimate or no
11 recollection whatsoever, it would be a guess, tell us
12 that. It doesn't help any of us.

13 If you don't understand one of my questions --
14 and, unfortunately, that happens a lot because my
15 questions are not always as artful as I'd like them to
16 be -- please let me know and I will rephrase it until
17 you do understand it.

18 As the proceedings go on, if I get tired, my
19 voice may trail off a bit. If you don't hear my
20 question, feel free to let me know. I'll repeat it or
21 I'll ask this nice young lady to read it back to you.
22 But if you give us an answer, we're going to assume that
23 you heard my question and you understood my question and
24 that you mean your answer to correspond to it. Fair
25 enough?

1 A Yes, sir.

2 Q Any questions on what's going to happen before
3 we get started?

4 A No, sir.

5 Q Okay. Let's get your full name for the
6 record, please.

7 A It would be Warren L. Ratliff, Jr. Middle
8 name, Lee.

9 Q And what's your business address, Mr. Ratliff?

10 A 2211 Pacific Beach Drive, San Diego,
11 California 92109.

12 Q And what's the phone number there?

13 A To our --

14 Q Main number.

15 A The main number would be (858) 581-4200.

16 Q And if we were to call that number and ask for
17 you, they could track you down? Or maybe not?

18 A Maybe not.

19 Q Do you have a better number?

20 A Yes.

21 Q What would that number be?

22 A (858) 581-4219.

23 Q Okay. What's your home address?

24 A Is 1666 Garnet Avenue, G-a-r-n-e-t, No. 116 --
25 or 119. I'm sorry.

1 Q San Diego?

2 A San Diego, California.

3 Q Same ZIP?

4 A 92109.

5 Q Okay. Just for reference purposes, what's
6 your date of birth?

7 A June 11th, 1960.

8 Q Okay. By whom are you currently employed,
9 Mr. Ratliff?

10 A Would be Terra Vista Management; Campland on
11 the Bay.

12 Q Terra Vista Management is the employer, and
13 the location is Campland on the Bay?

14 A Yes. It would be the property location.

15 Q And the official business address for Campland
16 on the Bay is that 2211 Pacific Beach Drive?

17 A Yes.

18 Q Okay. How long have you worked at Campland on
19 the Bay, roughly?

20 A Five years.

21 Q What's your current position with Campland?

22 A With Campland, park ranger supervisor.

23 Q So you supervise other park rangers?

24 A The whole staff, yes.

25 Q Okay. And how many rangers does that entail?

1 A Currently we have, I believe, ten, besides
2 myself and the manager.

3 Q How long have you been park ranger supervisor?

4 A Three years.

5 Q So you were park ranger supervisor in April of
6 2006?

7 A Yes, sir.

8 Q And who was your immediate supervisor?

9 A At that --

10 Q Now. Today.

11 A Today?

12 Q Uh-huh.

13 A Is Darrin Sessler.

14 Q And who was it in April of 2006?

15 A Would be Therese Kiel.

16 Q How does Therese spell her first name, do you
17 know?

18 A Do you mind if I look at --

19 Q No, absolutely not. Whatever you need to
20 refer to is fine.

21 A T-h-e-r-e-s-e.

22 Q And the last name, K-i-e-l?

23 A Yes, sir.

24 Q Were you working at Campland on the Bay in
25 April of 2006, when a fellow by the name of Andrew

1 Shalaby was injured there?

2 A Yes, sir.

3 Q You were on duty that evening?

4 A Yes, sir.

5 Q Do you have at least some recollection of that
6 event?

7 A Yes, sir.

8 Q If you can recall, Mr. Ratliff, how did you
9 personally become aware that the incident had happened?

10 A Originally was, other guests at Campland had
11 came to the gate in a frantic state, yelling that they
12 had called 911, that there was an individual that was
13 burned.

14 Q Were you at the gate at the time?

15 A Yes, sir.

16 Q So they told you that someone had been burned
17 and that they had called 911?

18 A That is correct.

19 Q And these were campers that came to you?

20 A Yes, sir.

21 Q Was there a process at that time, Mr. Ratliff,
22 whereby you or someone employed by Campland would
23 typically make some type of a log entry specifically
24 about learning an event, like, "I got a phone call" or
25 "I was approached by people at such and such a moment,"

1 and put it down in writing somewhere?

2 A No. That may be -- okay.

3 Q When you received word of this incident at the
4 gate, were you at the gate alone as far as employees go?

5 A I don't recall.

6 Q Did you have access to any type of a vehicle
7 there?

8 A Yes, sir.

9 Q What kind of a vehicle did you have?

10 A I have a ranger Toyota pickup truck, and golf
11 carts.

12 Q You mentioned that you had or -- I guess, is
13 the way the question was asked -- about ten other
14 rangers that report to you?

15 A Yes.

16 Q Was that essentially the same back in April of
17 2006?

18 A Approximately, yes.

19 Q And they work over a 24-hour period, I assume,
20 in, like, maybe three different shifts?

21 A Yes.

22 Q Typically, on a shift that would include the
23 hours of, say, nine o'clock p.m. to midnight, how many
24 of those ten or so rangers would be on duty at Campland?

25 A On that particular evening, I believe there

1 was two.

2 Q And that's in addition to you, or including
3 you?

4 A Including me.

5 Q Okay. What other ranger, if you can recall,
6 was on duty that night?

7 A Would have been Randy Stephens.

8 Q Do you know how he spells his last name?

9 A S-t-e-p-h-e-n-s.

10 Q In addition to the security staff, which would
11 have involved you and Mr. Stephens or "Steffen," or
12 however he pronounces it, would there have been other
13 Campland employees on duty at that time of night?

14 A I am not quite understanding you.

15 Q Your duties, as I understand it, as park
16 ranger, would have been overall supervision of what was
17 going on and anybody who would have been, for the sake
18 of example, working at a snack bar, at a laundry
19 facility, or anybody else that was employed by Campland
20 at that time of night?

21 A Yes.

22 Q Okay. Who else would have been employed at
23 that time of night?

24 A We do have janitorial staff.

25 Q Okay. Do you remember any of them that were

1 on duty that particular evening?

2 A No, sir, I do not.

3 Q Okay. Other than rangers and janitorial
4 staff, any other Campland employees that likely would
5 have been on duty at or about the time this incident was
6 recorded?

7 A I don't recall, but there was a possibility.

8 Q If there was somebody else, what in your mind
9 might have been their function for Campland?

10 A We do have a game room attendant, usually,
11 till eleven o'clock.

12 Q Do you know who that would have been in April
13 of 2006?

14 A No, sir.

15 Q Is there anybody that would perform the
16 function, say, of dispatcher or clerk or something so
17 that if you guys were out patrolling the Campland area
18 and an event was recorded, they could get on the radio
19 or a cell phone, or however you communicate, and say,
20 "We need you over at Campsite G112" or whatever?

21 A That would have been myself.

22 Q That would have been you, okay. Once you
23 learned about this incident from the campers who came to
24 the gate, did you go to the incident site?

25 A I told my employee, Randy Stephens, to

1 dispatch himself immediately to the site.

2 Q And how was that done, Mr. Ratliff? By phone?
3 By radio?

4 A I believe, by radio. And I could have called
5 out. He might have been in the proximity where I was
6 able to yell at him.

7 Q I went out there yesterday. It's not far from
8 the guard shack to where what I call "the main building"
9 is. Is it conceivable that he might have been in the
10 main building? Is that what you mean by earshot?

11 A In or around that area.

12 Q In any event, you dispatched Randy to go to
13 the incident site?

14 A Yes, sir.

15 Q Do you know how he traveled there? I mean by
16 foot, in a car or --

17 A By golf cart. Or I should say a golf car.

18 Q In addition to dispatching Randy to the scene,
19 did you do anything else at that point in connection
20 with dealing with this incident? By that I would
21 include maybe yourself calling 911, calling your
22 supervisor or anything like that.

23 A At that particular moment I heard the sirens
24 that was on their way. I then had the -- oh, may I back
25 up a little bit?

1 Q Sure.

2 A Other staff that was working at that
3 particular time would have been our registration. We
4 had a registration staff there -- that was there.

5 Q Okay.

6 A So I did call him to come and relieve me at
7 the gate and I proceeded to the incident myself by truck
8 and waited as the fire personnel arrived on the scene.
9 Then I escorted them, with them behind me, to the site.

10 Q So if we back up a little bit, in addition to
11 the potential janitorial staff, the game room attendant,
12 there would have been someone in charge of registering
13 guests?

14 A He was normally off at that time, but he
15 happened to be a little bit late that day.

16 Q Do you remember what his name was?

17 A I believe on that particular night it was
18 Alexander, and I do not know the last name.

19 Q Would he have been normally located in what I
20 called the main building, just beyond the guard shack?

21 A Yes.

22 Q Okay. So you asked Alexander to come over and
23 relieve you at the gate?

24 A To monitor the gate for me, yes.

25 Q All right. And then you waited for the fire

1 department personnel to arrive so that you could take
2 them to the incident scene?

3 A Yes, sir.

4 Q And did you ride with them? Did you take one
5 of the golf cars or carts? Did you take your Toyota?
6 How did you get to the incident scene?

7 A The ranger truck.

8 Q And you knew where the incident occurred
9 because the campers that reported it to you told you
10 what campsite they were at or what --

11 A The campsite where they were at.

12 Q Great. Give me your best estimate in feet,
13 yards, miles, or whatever, how far it would have been
14 from the gate, where you were working, over to the
15 incident site by way of travel. Not the way the crow
16 flies, but how far did you have to drive to get there,
17 roughly?

18 A I would estimate anywhere from 300 to
19 400 yards.

20 Q So it would have only taken you probably a
21 minute or less to get there?

22 A Yes, sir.

23 Q Mr. Ratliff, when you arrived at the campsite
24 where the incident had occurred, who else was already
25 there?

1 A Several campers and guests that were in other
2 sites; my ranger staff, Randy; I believe, the
3 gentleman's wife or girlfriend -- I'm not sure of that.
4 I recall one child, and the fire truck with its crew,
5 and the paramedics and their crew.

6 Q And they were basically traveling with you?

7 A Yes. They were behind me.

8 Q While you were there at the campsite where the
9 incident had happened, did anyone else arrive? And by
10 that I would include, did any police respond or
11 ambulance or anything else?

12 A The ambulance did come behind the fire staff.

13 Q Were they in the same --

14 A Yes.

15 Q -- caravan, basically? Did any police
16 agencies respond at all?

17 A No, sir.

18 Q I realize there were a lot of different people
19 there doing a lot of different things, and right now
20 this question pertains to you specifically, Mr. Ratliff.

21 Did you make a list anywhere of the names of
22 the fellow campers that came to the site, that were
23 milling about, that might have information?

24 A I did not make a list of names.

25 Q Whether or not you know any of their names,

1 did you speak with any of them about what happened?

2 A Yes, I did.

3 Q Do you have any recollection, as you sit here
4 today, of what any of these people told you?

5 A Well, I have different stories from each
6 individual.

7 Q All right. I know it would be difficult to
8 put a name with a story, but maybe you could do it
9 chronologically or in your mind, "This person that
10 looked like this said 'X'." Can you kind of tell us the
11 various stories that you heard?

12 MR. STEPHAN: I'll just object. Vague as to
13 time. I guess, talking about that night?

14 MR. MOORHEAD: Yes.

15 BY MR. MOORHEAD:

16 Q I'm just talking about there, at the site
17 things that were told to you.

18 A Well, when I arrived on the site, I secured
19 the site, observed the individual. We tried to help the
20 fire department take care of that individual, first.

21 At that time I had Randy continue to do --
22 stay with him and monitor him and the campsite itself.
23 I then went to the first campsite to the left of that
24 campsite -- those were the individuals that also made
25 the original call, I guess, for 911 -- and spoke to

1 them.

2 The one female in that group gave me a story
3 of -- that the guest in that site was trying to light
4 the campfire with the torch and it would not light, and
5 was banging the torch on the side of the fire ring.

6 Q Okay.

7 A Another guest --

8 Q Now, I don't want to go further because I want
9 to make sure I understood the question. A lady from the
10 campsite to the left of Mr. Shalaby's campsite --
11 Mr. Shalaby being the individual that was injured -- to
12 the left as you're facing --

13 A Facing his campsite.

14 Q His campsite. A woman in that group told you
15 that she had observed him trying to light the campfire
16 unsuccessfully and banging the torch on -- what did you
17 say? On the campfire ring?

18 A On the campfire ring.

19 Q Then, did somebody else give you a story?

20 A Another individual in that same campsite said
21 that he heard the gentleman was frustrated at not being
22 able to fight -- or to light the campfire. And that was
23 it in that group.

24 Q Okay. Before we move on, 'cause there may be
25 others, when you arrived, was there a campfire burning

1 in Mr. Shalaby's fire ring?

2 A There was a small campfire that was -- that
3 was lit.

4 Q All right. We talked about the group that was
5 in the campsite immediately to the left of the Shalaby
6 campsite. Did you speak with any other individual?

7 A I spoke with the other campsite to the right
8 of them.

9 Q Okay.

10 A They had a blanket partition, a man-made
11 blanket partition between them.

12 Q Sort of a privacy thing?

13 A Right. Yes, sir.

14 Q Okay.

15 A Then the individual there said they heard a
16 explosion, a large flame. Actually, all of them
17 explained that to me. So there was a large ball of
18 flame and explosion. And that was pretty much it from
19 them.

20 Q Okay. Was that a male or female that gave you
21 that story, if you remember?

22 A I believe it was a male and -- a husband and
23 wife.

24 Q All right. That's all from the campsite
25 immediately to the right of the Shalaby campsite. Did

1 you talk to any other campers?

2 A No. I cannot recall.

3 Q Okay. When you arrived at the campsite where
4 the incident happened, was Mr. Shalaby still there?

5 A Yes.

6 Q Where, physically, was he located in
7 relationship to the physical items that were there?

8 A As I arrived, he was placed, I believe, by
9 other campers in a lounge chair and his feet placed in
10 another lounge chair within three feet from the campfire
11 ring.

12 Q To prop his feet up, you mean?

13 A Yes.

14 Q And, I assume, someplace away from the fire
15 ring?

16 A He was about three feet.

17 Q Okay. All right. What about his girlfriend,
18 or wife? Where was she when you arrived, if you
19 remember?

20 A I don't recall.

21 Q Okay. You made reference to a child. Where
22 was that child located, if you remember?

23 A I believe the child was standing in the wind
24 break. We have a wind break there in the corner, kind
25 of out of the way.

1 Q And by "wind break," you're talking about,
2 like, a wooden fence?

3 A Yes.

4 Q Do you remember whether the child was male or
5 female?

6 A No, I do not.

7 Q Okay. When you arrived at the scene, what is
8 your best recollection of where the cylinder and/or
9 torch were located?

10 A From where Mr. Shalaby was sitting in the
11 chair, where he was placed by other guests, after that,
12 the cylinder was to his rear, facing the campsite.
13 Mr. Shalaby would be to the right, in the chair. The
14 cylinder was behind Mr. Shalaby, in the dirt,
15 approximately four feet.

16 Q Four feet from him. How far from the fire
17 ring?

18 A Circular, three feet, probably. The same
19 distance as he was.

20 Q Okay. At that time, when you first noticed
21 the cylinder and the torch, were they attached to each
22 other?

23 A They were still attached.

24 Q Was there any flame coming from the cylinder
25 and torch at that point?

1 A No, sir.

2 Q As part of your duties that evening, did you
3 do anything specifically to inspect that equipment?

4 A Yes, sir.

5 Q What is it that you did, that you can recall?

6 A First of all, I secured the site, picked the
7 cylinder up -- well, I inspected the cylinder to make
8 sure that it wasn't still in the explosive state, then
9 picked it up to remove it from being a potential hazard
10 from anybody else, held it in my possession the entire
11 time, and went to the fire department's engineer, who
12 was standing there, asked him if they needed this for
13 anything.

14 His reply to me was, he was going to speak to
15 his captain -- he was making a report in the
16 ambulance -- and he would get back to me.

17 Q We'll get to that conversation in a minute.
18 Back to your observations: What observations can you
19 recall making about the cylinder and the torch when you
20 first came into contact with them?

21 A At that particular moment, the only
22 observation that I observed, that it was MAPP; MAPP gas.

23 Q So you're familiar with the type of gas that
24 was in the cylinder?

25 A Yes, sir.

1 Q Okay. When you first came in contact with the
2 cylinder and the torch, were they still hot?

3 A I picked the cylinder up, and it was not hot
4 at that time.

5 Q Okay. How about the torch? Was it hot?

6 A I did not -- I don't recall, myself, touching
7 the torch end of it.

8 Q Okay. Did you observe any signs as if the
9 cylinder had exploded; by that I mean any holes in it,
10 any cracks, any fissures, anything like that, in the
11 sidewall or bottom or neck or anything else on the
12 cylinder?

13 A At that particular time, the cylinder was not
14 an issue. I did all my observation after the --
15 Mr. Shalaby was taken care of.

16 Q Okay. Well, let's move on in time, then, to
17 that point in time when you made your observations. At
18 that point, after he had been taken care of, what
19 observations do you recall making about the cylinder or
20 torch at that point in time?

21 A As I took the cylinder back to the gate, I
22 observed the cylinder had a right-angle bend to it at
23 the torch, where the connection to the cylinder is, and
24 appeared to be a crack in the cylinder at the bottom
25 thread level of the cylinder.

1 Q Okay. If we -- you're familiar with what they
2 look like when they are disassembled, the torch from
3 the --

4 A Yes, sir.

5 Q All right. If you were to look at a MAPP gas
6 cylinder from the store before it goes through any type
7 of event like this one may have, it's shaped somewhat
8 like my soda bottle, maybe not as tapered, but it comes
9 basically straight up and then it tapers, and then it's
10 got a neck on the top, that's threaded, right?

11 A Yes, sir.

12 Q Okay. And what color is it?

13 A It is yellow.

14 Q A MAPP gas cylinder is always yellow, right?

15 A Yes, sir.

16 Q And what you've just described for me is that
17 the neck of the cylinder that you observed at the gate
18 following taking care of Mr. Shalaby, was bent?

19 A Not the neck.

20 Q Okay. What part was bent?

21 A Well, I don't know if the neck -- 'cause I
22 never did disconnect the torch head from the cylinder.

23 Q Then, I misunderstood you.

24 A It just appeared to be a split along the very
25 bottom, the last thread of the neck.

1 Q The lowest thread --

2 A The lowest thread.

3 Q -- as it's sitting on its bottom?

4 A The main cylinder -- body of the cylinder, to
5 the first thread up on the neck.

6 Q Now, this crack, or whatever you're
7 describing, is that going -- if the cylinder is sitting
8 on its bottom, is the crack going vertically or
9 horizontally, that you saw?

10 A I believe it was kind of in both directions.

11 Q And then you said something about something
12 being bent. Maybe I misunderstood you.

13 A The top torch nozzle itself was at a right
14 angle from that position, from the crack itself.

15 Q Okay. So let's stop a minute. The torch --
16 you've seen these torches as they come from the store?

17 A Yes, sir.

18 Q And they have a bend in them when they're in
19 their correct format, right? They just don't go
20 straight up?

21 A Yes. The nozzle itself has a normal operating
22 bend.

23 Q You're talking about a bend different than the
24 one that would normally be there?

25 A Yes.

1 Q And where, along the course of the torch from
2 where it screws onto the neck of the cylinder to the
3 tip, where the fire comes out -- where did you observe
4 the bend that you're talking about, that didn't belong
5 there, so to speak?

6 A Observed the bend pretty much at the base of
7 the nozzle and the torch -- the cylinder itself.

8 Q Okay. So --

9 A At the explosion part, or whatever the break
10 in the cylinder was, is where it was actually bent.

11 Q So what you are describing for me, if I
12 understand it -- and correct me if I'm wrong -- is that
13 the unusual bend that you saw was at or near the place
14 that the torch attaches to the cylinder?

15 A That is correct, yes.

16 Q Okay. And did you make any observations of
17 the torch to determine -- and I don't know if you have
18 the expertise to do this or not, but, if you do, let us
19 know -- whether that appeared to be something that was
20 caused by the event or, for the sake of example, one of
21 those people said that Mr. Shalaby was banging it.

22 In other words, did it look more like damage
23 that somebody did to it before the event, or was it
24 melted and bent as a result of the event? What did you
25 see?

1 A I made my personal observation, and based on
2 what witnesses said to me, it could have been a number
3 of things.

4 Q So you didn't come to a conclusion as to what
5 you thought it was?

6 A No, sir.

7 Q Was it inconsistent with having been melted
8 into that position from the fire ball you described?

9 MR. EPSTEIN: Objection. Vague and ambiguous.
10 Go ahead.

11 THE WITNESS: Yes, it was inconsistent.

12 BY MR. MOORHEAD:

13 Q Was it inconsistent with the story that the
14 camper to the left of Mr. Shalaby had said, that it had
15 been banged on the campfire ring?

16 A No.

17 Q So that was one possibility that was in your
18 mind?

19 A Yes, sir.

20 Q Can you remember any other thoughts that came
21 to your mind as to what might have caused the bend that
22 you saw in the torch?

23 A Just the natural explosion itself could
24 have -- or a faulty -- you know, my personal experience
25 with these cylinders is faulty materials, manufactured

1 materials.

2 Q Okay. What observations did you make that
3 made you believe that it might be that as opposed to any
4 of the other things?

5 A Just my past experience from other previous
6 places working with the stuff.

7 Q So you did not do any type of a qualitative
8 analysis of the metals involved or anything like that to
9 determine if it was --

10 A Negative. No, sir.

11 Q Okay. Did you have discussions with
12 Mr. Shalaby at the scene?

13 A No, sir.

14 Q Did you overhear any discussions Mr. Shalaby
15 had at the scene with other people?

16 A No, sir.

17 Q Did you have -- if I already asked you this, I
18 apologize. Did you have any conversations with his wife
19 or his girlfriend?

20 A Yes, sir.

21 Q Okay. And what, if anything, did you learn
22 from her?

23 A She was very frantic. I couldn't get pretty
24 much any statements from her per se, as she was more
25 worried about his -- his well-being and that, which we

1 all were. And the only conversation that took place was
2 trying to initially get their address and name, all my
3 original statements. And I couldn't get that out of
4 her.

5 Q Okay. Before we get too far away from it,
6 back to the torch: In addition to this bend, did you
7 see anything else that appeared to be wrong with the
8 torch?

9 A Just that I thought that it could have been
10 put on wrong or not all the way in the on position.

11 Q Okay. You mean when it was attached to the
12 cylinder, it might not have been attached all the way?

13 A Right.

14 Q Okay. How about missing paint, scratches,
15 dents, anything like that?

16 A It appeared to me to be normal wear and tear.

17 Q I don't think I asked you this. About what
18 time was it that you learned of this incident, roughly?

19 A That I learned of the incident?

20 Q Yes.

21 A Approximate times were between 10:15 p.m. and
22 10:30.

23 Q P.m.?

24 A Yes, sir.

25 Q Were you able to determine from any source at

1 the scene of the incident how long before you learned of
2 it, it had happened?

3 A I did not understand that question.

4 Q Sure. You learned of it, you said, somewhere
5 around 10:15 to 10:30, by your conversations with
6 Ms. Ruiz, the wife/girlfriend of Mr. Shalaby, and the
7 other campers.

8 Do you know how long, before that 10:15 or
9 10:30 time frame that you learned of it, that it had
10 actually happened? Like a minute before or ten minutes
11 before or --

12 A I do not know.

13 Q Okay. But, in any event, when they reported
14 it to you, they told you that they had called 911 and --

15 A And it had already happened, yes.

16 Q -- and the sirens were on their way?

17 A Yes, sir.

18 Q You indicated that when you arrived at the
19 scene, Mr. Shalaby was still there. Was he conscious?

20 A Yes, sir.

21 Q Whether or not you heard anything he said, did
22 you observe that he was having conversations with
23 paramedics and ambulance personnel?

24 A Yes.

25 Q Did you observe that he had suffered burns?

1 A Yes, sir.

2 Q Where do you remember on his body seeing
3 burns?

4 A I remember his legs, from his ankles up his --
5 would be above his knees, his hands and arms.

6 Q How about his face?

7 A I did not recall any on his face.

8 Q How about his clothing? Was it burned?

9 A I don't recall the clothing to be burned.

10 Q Did you take any photographs of the incident
11 scene, the victim, the equipment that we talked about or
12 anything else?

13 A No, sir.

14 Q Did you direct Randy to?

15 A No, sir.

16 Q So as far as you know, Campland on the Bay has
17 never had any photographs relevant to this incident?

18 A No, sir.

19 Q The cylinder that you observed when you got to
20 the scene, was it in a condition where it still had its
21 labels?

22 A Yes, sir.

23 Q Okay. Do you remember whether the label was
24 damaged in any way, either burned or scratched off or
25 anything like that?